

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re of:

Application No.:	10/531,259	Examiner:	Trang T. Doan
Filing Date:	April 24, 2006	Art Unit:	2131
First Inventor:	Gisela MEISTER	Customer No.:	23364
Attorney No.:	MEIS3002/JEK	Confirmation No.:	4669

For: METHOD FOR CARRYING OUT A SECURE ELECTRONIC
TRANSACTION USING A PORTABLE DATA SUPPORT

RESPONSE TO OFFICE ACTION MAILED SEPTEMBER 1, 2009

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INTRODUCTORY COMMENTS

This is responsive to the Office Action mailed September 1, 2009 regarding the above application. Reconsideration of the rejection of the claims presented in this application is requested in view of the comments presented below.

REMARKS

Claim Rejections – 35 USC §102

The rejection of claims 1, 3-10 and 12-14 as anticipated by Miyashita is based upon an improper interpretation of the Miyashita disclosure. Miyashita discloses an authentication method for portable communication equipment (cellular phones, PDA's, etc.) that support different wireless communication functions, such as telephone calls, e-mails, e-commerce, etc. (see figure 9A).

In a first step, Miyashita teaches that several different important levels may be set for different communication functions. In a second step, a controlling means of the communication device judges the importance level and authentication level for an authentication method. Authentication methods include fingerprint and/or PIN based